

G. Silverman Declaration
Exhibit 8



To: Memo to File

From: Jason A Ingalls
V.P. and Security

Re: Investigation regarding CNB Employee Jason Wemes

Date: Tuesday 06/26/2021

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Tuesday 06/29/2021

Investigators working undercover within an application named Grindr posing as a 14-year-old male.

Communications within the Grindr app started on Tuesday 06/29/2021 around 3:30pm with a user in Canandaigua named FeedMe.

Investigators were led to the Main Office of CNB while working a "Luring a Child" case.

A final meeting place was agreed upon for a locking bathroom in the lower lobby of the Main Office using the 60-70 S Main St. Entrance, it is publicly accessible as described by Jason Wemes.

The investigators arrived near the Main Office walk up ATM Inv. Bowerman went down the elevator (4:40pm) to the lower level while Inv. Visingard checked the lobby, spoke with Kristi Merriman and stated he was looking for a person (showed Merriman a picture) before going to the Main Office lower level lobby by the safe deposit area via the staircase at 4:42pm.

While Inv. Bowerman was in the lower level vestibule Jason Wemes was making his way from his workstation on the 2nd floor of the Operations Building at 17 Chapin Street, crossing the bridge and proceeded down the 2nd floor hallway of Main Office before descending the front stairs to the lower level when he came upon Inv. Bowerman.

The Grindr application is social media site that is location based and will update the location of the other person. The Grindr App showed that both parties were within feet of each other when in the elevator vestibule of the lower level at the Main Office.

Two pictures were exchanged during the text conversation via the Grindr App. One picture was of a heavy-set white male with a hat, sunglasses, full beard driving a car. The second picture was of the lower body with pants pulled down (showing underwear in a vehicle)

Exhibit

8

9/30/24 KH

Jason W asked if could help them. Investigators said they were looking for someone then displayed a badge. Jason left the vestibule area through the basement of the Main Office (badge strike door at 4:41pm) proceeding upstairs through the mortgage office and returning to his office across the bridge returning to his workspace area at 4:47pm.

Tim Tepedino escorted the officers from the Main Office to Jason Wemes in the Operations Building at 4:57pm.

Timeline:

16:40 – Investigator Bowerman was in the lower level vestibule waiting for the suspect while Investigator Visingard went into the lobby to look for the suspect.
16:41 - Jason Wemes swiped badge at Main LL Elevator Door
16:42 – Investigator Visingard went to the lower level lobby by safe deposit.
16:45 – Joe Hernandez received a phone call from Kristy Merriman, Jason Ingalls took the call.
16:46 - Jason Wemes swiped badge at Main 1st Floor Mortgage Door
16:47 - Jason Wemes swiped badge at Main Ops 2nd Glass Door and returned to his desk.
16:57 – Tim Tepedino escorted officers from Main Office to Jason Wemes in the Operations Building.
16:58 - Jason Wemes swiped badge at Ops-2nd Computer Area Door
17:12 - Joe Hernandez heard Vince Yacuzzo shout out to him from the parking lot and turned around to talk to him.
17:23 - Joe Hernandez entered Brown Door and went to Jason Ingalls Office in Operations
17:24 - Joe Hernandez introduced himself to Dan Visingard and Nathan Bowerman, investigators from the Ontario County Sheriff's Office. See notes section for specifics on conversation and detail on this event.
17:37 - Jason Wemes contacted Joe Hernandez by cell and asked about cleaning at Honeoye Falls due to the power outage.
17:48 - Joe Hernandez logged back into Entre to pull records for Jason Wemes badge activity (included in this timeline).
17:55 - Joe Hernandez pulled client audit logs from March Networks and did not find anything from the system logs that would indicate Jason Wemes was reviewing any cameras at or around the time in question.
18:14 – Jason Ingalls received a phone call from Jason Wemes on his cell phone. Jason's cell phone battery died so Ingalls called Wemes back on his landline phone.

Joe H Notes:

I received a phone call from Kristy Merriman, assistant branch manager of main office at approximately 4:45pm. I was on my cell phone already with Gwen Crawford regarding a power outage at the Honeoye Office. Jason Ingalls was in the office and answered my phone putting the phone on speaker. As I was discussing the power outage with Gwen I overheard Jason and Kristy talk about someone in the branch flashing a badge and mentioned they were here looking for a potential child abductor. I was still working out an issue with the power outage with Gwen and at that same time Jason left the office I presumed him to be heading over to address the situation. I finished working on the few things I was working on and had packed up to leave to and address the issue at Honeoye Falls so that the branch could open and the cleaners could access the building later that evening. As I was heading out to my truck, Vince Yacuzzo, Chief Financial Officer yelled out to contact me. I turned around and walked back to Vince. We had a brief conversation about what was going on and I continued back into my office then went over to Jason's office, knocked on the door and introduced myself to two investigators from Ontario County, Dan Visingard and Nathan Bowerman. Trying to understand the situation better I asked

what was going on. Investigator Visingard filled me in on a gay dating app called "Grindr". Dan informed me this app was something where a user could connect to chat with other gay men to meet up and do certain things together. When I asked what the relevancy to the bank and what was going on specifically, Dan informed me that he was an undercover police officer who was portraying himself as a 14 year old boy. Dan had specific pictures asking if I knew who a person was in a picture and asking if it could be Jason Wemes. I looked over the picture and couldn't identify who the person was in the picture but it definitely did not look like Jason Wemes. He then showed another picture of someone in their underwear in what appeared to be a vehicle with a penny in the dashboard and a mountain dew can in the cup holder. The specific badge zip line in the photo is the same zip line Jason Wemes was in possession of. This is where I became more concerned. After seeing the pictures and hearing of the conversations between the officer and the suspect I began asking more questions as to what happened. The officer had specific information on where to go to meet his suspect which would be in the basement of CNB main office where the bathroom is, the officer was told to meet him in the basement at a specified time. The officer stated he was standing in safe deposit area in the basement and was looking around when Jason Wemes showed up and asked "Can I help you?" and he showed his badge and Jason left through the lower level door employee entrance door. I found out later that the investigators ran into Tim Tepedino and Tim brought the investigators up to Jason Wemes desk. The investigators also said the signal was within a few feet (5 feet) from where Jason Wemes was during the time he was being questioned by the investigators.

6/29 at 6:14pm – Received a phone Call from Jason Wemes

Joe H took notes regarding a Phone Call conversation with Jason Ingalls and Jason Wemes. Wemes did not know he was on speaker phone.

Jason Wemes said he was doing his normal walkthrough as there was a Board meeting. When he got down toward the safe deposit area he saw someone and asked "Can I help you? I am an undercover cop, said the officer and the officer turned around and left (contradictory to what the officers said). He walked out and left.

Investigators Dragged in other room (computer area on 2nd floor of Operations). J Ingalls showed up shortly after.

The officers showed Jason Wemes a picture of a male white, heavier build with a baseball cap, sunglasses, full beard that appeared to be driving a car). Jason Wemes said he saw the individual about 2 weeks ago going out of the bank and saw him at the Green Front restaurant, that guy looks familiar. Don't know who he is under the investigation.

Badge image doesn't like that. (referring to second image taken inside a vehicle)

Stated the badge not mine. Ones that we hand out. Ones we hand out cut them or break them plastic clip to go onto the metal cracking etc. this is why mine looked like that.

Asked me questions told them all I know. Tan or khaki shorts black belt. Showed them. Not his underwear after showing his underwear to the officer.

Angry - concerned but wanted to talk in person. Uncomfortable.

Other notes - JAH

- Points where the stories don't match. Officer identified himself and Jason said the officer left going back upstairs but the officer stated he was standing there and Jason Wemes entered through the employee entrance in the lower level quickly.
- Officer stated the last known location of the person was within feet of him when he was in the building near Jason Wemes Desk.
- The officer showed two distinct pictures. One of a person/man who did not look like Jason Wemes. And another which looked like the interior of the CNB small white work van of a person in purple underwear and a lanyard/zip that looked exactly like the lanyard/zip that Jason Wemes had.
- Very specific instructions to meet at the bank in the lower level bathroom.
- No cameras on that level in that hallway.
- Requested investigators to see if they can obtain the metadata from the picture from inside the vehicle to see if we can match our records of Jason Wemes whereabouts. Metadata contained inside the picture can provide specific geo location of a picture, where and when it was taken etc.

Other information:

Jason Wemes email address - pookiejay06@yahoo.com

Cell Phone 315 398-3997 – tied to the bank plan

28:ff:3c:70:98:39 mac address for phone

Grindr user id is: FeedMe

Straight Talk Wireless information in the desk of Jason Wemes regarding a wireless plan activation

Serial Number (also know as a IMEI, MEID, or ESN) 356 327 111 319 841

SIM Card Number - 891-480-000-061-409-114-29

Husband: Joshua Passalacqua

Picture of pants appeared to be taken in the Bank owned van -
 badge reel and clipped matched the one of Jason Wemes
 other items – shirt, shorts, belt, items in van matched that of JW

Investigator Visingard:

Strongly believed it was Jason Wemes – “no doubt it was him”

Subpoena sent to Grindr for User id information associated with this case – may take a month to receive.

During the dialog within the app there was no question of what the age of the contact was and the intent of the proposal.

Possible charges Attempted criminal Sexual Act.

Grindr - Grindr is a well-known social networking app designed for trans, gay, bi, and queer men. This social network ensures that men with unconventional sexual orientation can find like-minded individuals that they can share fun-filled times. With its easy-to-use user interface, you cannot have any issues with utilizing Grindr to find a date.

Typically, mobile device application – there is a web/pc option

Unable to access from CNB systems – blocked site

DEF00572

Lead Investigator: Inv. Dan Visingard – Canandaigua City Police (585) 363-1848

07/13/2021 – Attorney Leslie Hickey

08/18/2021 – Called inv Visingard – no response from Grindr, account shut down.

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